

## SWIDLER &amp; BERLIN

CHARTERED  
3000 K STREET, N.W.  
SUITE 300  
WASHINGTON, D.C. 20007-3851  
(202) 944-4300

JEFFREY M. KARP  
ATTORNEY-AT-LAW

September 30, 1991

DIRECT DIAL  
(202) 944-4781  
TELEX: 701131  
TELECOPIER: (202) 944-4296

Peter Felitti, Esq.  
Assistant Regional Counsel (5CS-TUB-4)  
U.S. Environmental Protection Agency  
230 South Dearborn Street  
Chicago, Illinois 60604

Re: Great Lakes Asphalt Site

Dear Mr. Felitti:

We are writing on behalf of Emhart Corporation in response to your September 4, 1991 offer to negotiate a de minimis settlement for the above-referenced Site.

Emhart is willing to enter into settlement negotiations with EPA, but we request that you first provide us with information that sets forth EPA's basis for imposing liability on Emhart. As we previously informed you in our December 13, 1990 response to your November 19, 1990 Notice Letter, Emhart has no information indicating that it did business with Great Lakes Asphalt or that waste generated by any of Emhart's subsidiaries was taken to the Great Lakes Asphalt Site. We have yet to receive from EPA information that links Emhart to the Site.

We further request that you inform us of the amount of the response costs that EPA seeks to recover in the settlement and provide us with a waste-in list for the Site.

Emhart's willingness to enter into settlement negotiations should not be construed as an admission of liability. Emhart specifically reserves the right to contest its alleged liability with regard to the Site.

Sincerely,

*Jeff Karp*  
Jeffrey M. Karp

cc: Ms. Linda H. Biagioni  
Barry L. Malter, Esq.